

**SUPREME COURT MINUTES
TUESDAY, JULY 3, 2007
SAN FRANCISCO, CALIFORNIA**

S031641**PEOPLE v. TATE (GREGORY O.)**

Extension of time granted to September 4, 2007, to file appellant's reply brief.

S048763**PEOPLE v. NELSON (SERGIO D.)**

Extension of time granted to September 4, 2007, to file the appellant's reply brief. After that date, only two further extensions totaling about 120 additional days will be granted. Extension is granted based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing that brief by January 2008.

S051342**PEOPLE v. CUNNINGHAM (JOHN)**

Extension of time granted to August 30, 2007, to file the appellant's opening brief. After that date, only one further extension totaling about 60 additional days is contemplated. Extension is granted based upon counsel Brian A. Pori's representation that he anticipates filing that brief by October 30, 2007.

S054372**PEOPLE v. ERVINE (DENNIS NEWTON)**

Extension of time granted to September 6, 2007, to file the appellant's reply brief. After that date, only one further extension totaling about 32 additional days is contemplated. Extension is granted based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing that brief by October 8, 2007.

S058025**PEOPLE v. FOSTER (RICHARD DON)**

Extension of time granted to September 4, 2007, to file the appellant's reply brief. After that date, no further extension is contemplated. Extension is granted based upon counsel William D. Farber's representation the he anticipates filing that brief by September 4, 2007.

S064415**PEOPLE v. BRAMIT (MICHAEL LAMAR)**

Extension of time granted to September 4, 2007, to file the appellant's reply brief. After that date, only two further extensions totaling about 75 additional days are contemplated. Extension is granted based upon Deputy State Public Defender Peter R. Silten's representation that he anticipates filing that brief by mid-November 2007.

S067392**PEOPLE v. FREDERICKSON (DANIEL)**

Extension of time granted to September 4, 2007, to file the appellant's opening brief. After that date, only three further extensions totaling about 150 additional days will be granted. Extension is granted based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing that brief by December 8, 2007.

S078895**PEOPLE v. SIVONGXXAY (VAENE)**

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 4, 2007.

S087569**PEOPLE v. SANCHEZ (JUAN)**

Extension of time granted to September 7, 2007, to file appellant's opening brief.

S091915**PEOPLE v. NUNEZ (DANIEL) & SATELE (WILLIAM)**

Extension of time granted to August 27, 2007, to file appellant William Satele's opening brief. After that date, no further extension is contemplated. Extension is granted based upon counsel David H. Goodwin's representation that he anticipates filing that brief by August 27, 2007.

S093756**PEOPLE v. WILLIAMS (COREY LEIGH)**

Extension of time granted to August 28, 2007, to file appellant's opening brief.

S142694**WARD (CARMEN LEE) ON H.C.**

Order filed.

The order filed on June 27, 2007, is amended to read as follows:

As stated in this court's order of April 12, 2006, "in light of prior habeas corpus counsel's failure to discharge his duty to investigate and, if appropriate, present a habeas corpus petition on behalf of condemned prisoner Carmen Lee Ward," "it will be presumed that any successive petition filed within [36 months of that date] is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782)." Petitioner Carmen Lee Ward's "Application to Defer Informal Briefing on Amended Petition for Writ of Habeas Corpus" is granted. Further briefing is deferred until the earlier of: 1) petitioner files all reasonably available documentary evidence in support of the allegations in the Amended Petition, and any additional allegations or claims for relief about which he may become aware as the result of further investigation and discovery; or 2) the date the period of presumptive timeliness under this court's order of April 12, 2006, expires. The April 12, 2006, order, and the present one, are made to promote judicial economy, to effectuate petitioner's right to counsel under section 68662 of the Government Code, to allow "the full factual development in state court" of petitioner's claims (*Keeney v. Tamayo-Reyes* (1992) 504 U.S. 1, 9), and to permit the completion of "one full round of [state collateral] review" (*Carey v. Saffold* (2002) 536 U.S. 214, 222).

S142889**COLE (STEPHEN) ON H.C.**

Extension of time granted to September 4, 2007, to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days is contemplated. Extension is granted based upon Deputy Federal Public Defender Katherine A. Froyen's representation that she anticipates filing that document by October 3, 2007.

S144759**BLAIR (JAMES NELSON) ON H.C.**

Extension of time granted to September 4, 2007, to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 90 additional days are contemplated. Extension is granted based upon counsel David Nickerson's representation that he anticipates filing that document by December 3, 2007.

S148440**ROSE (BRENDON) ON H.C.**

Extension of time granted.

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response to the petition for writ of habeas corpus is extended to July 18, 2007.

S148463 F047448 Fifth Appellate District**PEOPLE v. JONES (DANIEL
LAQUINN)**

Extension of time granted.

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief on the merits is hereby extended to July 20, 2007.

S151222**LETNER, JR. (RICHARD) ON
H.C.**

Extension of time granted to August 27, 2007, to file the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 120 additional days are contemplated. Extension is granted based upon Deputy Attorney General Mark A. Johnson's representation that he anticipates filing that document by December 12, 2007.

S151521**PEOPLE v. ARAGON (RICKY
TOMMY)**

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, Elisa Brandes is hereby appointed to represent appellant on the appeal now pending in this court.

S152798 A104728 First Appellate District, Div. 1**PEOPLE v. MARTINEZ
(NICHOLAS JOHN)**

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, the First District Appellate Project is hereby appointed to represent appellant on the appeal now pending in this court.

S152859 A112206 First Appellate District, Div. 4**PEOPLE v. O'NEAL (CHARLES)**

Counsel appointment order filed.

Upon request of appellant for appointment of counsel, the First District Appellate Project is hereby appointed to represent appellant on the appeal now pending in this court.

S152371**SALES ON DISCIPLINE**

Recommended discipline imposed.

It is ordered that SASSOON SALES, State Bar No. 59958, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 5, 2007. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S152373**MASON ON DISCIPLINE**

Recommended discipline imposed: Disbarred.

It is hereby ordered that RANDALL D. MASON, State Bar No. 212858, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* It is further ordered that respondent make restitution to the following clients within 30 days following the effective date of this order or within 30 days following the Client Security Fund payment, whichever is later (Rules Proc. of State Bar, rule 291): (1) to Sharon Engelman in the amount of \$750 plus 10 percent interest per annum from March 21, 2005; (2) to Heather Wiley in the amount of \$1,500, plus 10 percent interest per annum from January 30, 2005; (3) to Dellena Hoyer in the amount of \$1,500, plus 10 percent interest per annum from December 20, 2004; (4) to Marjo Wells in the amount of \$954 plus 10 percent interest per annum from June 2, 2005; and (5) to William Mahon in the amount of \$1,500 plus 10 percent interest per annum from July 8, 2005 (or to the Client Security Fund to the extent of any payment from the fund to Sharon Engelman, Heather Wiley, Dellena Hoyer, Marjo Wells, or William Mahon, plus interest and costs, in accordance with Business and Professions Code section 6140.5). Any restitution to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d). Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)